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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,100	04/24/2002	Miwako Yuasa	450119-03130	7271
20999 7590 06/05/2007 FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			EXAMINER GRAHAM, CLEMENT B	
			ART UNIT 3692	PAPER NUMBER
			MAIL DATE 06/05/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/018,100	<b>Applicant(s)</b> YUASA ET AL.	
	<b>Examiner</b> Clement B. Graham	<b>Art Unit</b> 3692	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 4/4/02.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**  
**Claim Rejections - 35 USC § 102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-38, are rejected under 35 U.S.C. 102(e) as being anticipated by Weatherly et al, (Hereinafter Weatherly U.S Patent: 6, 049, 784).

As per claim 1, Lange discloses a system for managing lease of arbitrary information contents to be distributed from an information lease service provider to a user, the system comprising:

an information lease management apparatus for adding utilization condition information concerning lease of information contents to information contents, and processing the information so as to be distributed to the user.(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67) an information processing apparatus for receiving information contents with utilization condition information distributed from the information lease management apparatus; and communication means for connecting the information lease management apparatus and information processing apparatus, characterized in that the information processing apparatus is managed so as to automatically erasing the received information contents by using communication means based on the utilization condition information. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 2, Lange discloses an information lease management system as characterized in that an automatically erasable recording medium with its time limit storage function, the recording medium storing said information contents, is connected to said information processing apparatus, and when a lease period has expired, the

rented information contents are automatically erased based on utilization condition information. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 3, Lange discloses an information lease management system as, characterized in that said recording medium has a data erasure mechanism for automatically erasing said information contents when the recording medium is removed from said information processing apparatus. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 4, Lange discloses an information lease management system as, characterized in that a contract concerning lease of said information contents is made between said information lease service provider and a user. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 5, Lange discloses an information lease management system as, characterized in that Internet, telephone lines, satellite communication line or lease communication lines are used as said communication means. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 6, Lange discloses an apparatus for managing lease of information contents distributed from an information lease service provider to a user, the apparatus characterized by comprising:

data processing means for adding utilization condition information concerning information lease to a user to information contents.(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67) and transmission and reception means for distributing to a user the information contents having the utilization condition information added thereto by the data processing means or receiving response information from the user. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 7, Lange discloses an information lease management apparatus as, characterized in that there is provided a database storing information contents to be leased to said user. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67)

As per claim 8, Lange discloses an information lease management apparatus as, characterized in that at least menu screen information describing a title of information contents stored in said database is provided to a user. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 9, Lange discloses an information lease management apparatus as, characterized in that at least a title of said information contents, lease charge and lease period, and a list of said users are integrally managed. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 10, Lange discloses an information lease management apparatus as claimed in claim 6, characterized in that, in the case where an upper limit of an amount of money predetermined in accordance with a contract is provided, said data processing means obtains a cumulative utilization charge in which lease charges of said information contents are cumulated. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67) compares said upper limit of an amount of money and said cumulative utilization charge with each other; and present lease rejection of said information contents or a change of said upper limit of an amount of money in the case where said cumulative utilization charge exceeds said upper limit of amount of money. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 11, Lange discloses an apparatus for receiving information contents leased from an information lease service provider to a user, said apparatus characterized by comprising:

transmission and reception means for receiving information contents having added thereto utilization condition information concerning information lease to the user; data processing means for processing information contents received by the transmission and reception means. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67) and a recording medium connectable to the data processing means in order to store information contents, wherein the data processing means is provided so as to automatically erase information contents stored in a recording medium based on the utilization condition information. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 12, Lange discloses an information processing apparatus as, characterized in that said recording medium comprises a data erasure mechanism for, when the recording medium is removed from said data processing means, automatically erasing information contents stored in said storage means.(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 13, Lange discloses an information processing apparatus as, characterized in that said data erasure mechanism comprises: detection means for detecting the fact that the recording medium is removed from said data processing means; and control means for controlling disconnection of power supply to storage means based on removal detection information caused by said detection means.(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 14, Lange discloses an information processing apparatus as, characterized in that, when power supply to said recording medium is disconnected, there is provided a lock mechanism for fixing the recording means to said data processing means. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 15, Lange discloses an information processing apparatus as claimed in claim 11, characterized in that there is provided display means for displaying index information concerning said information contents. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 16, Lange discloses an information processing apparatus as, characterized in that at least a menu screen describing a title of said information contents is displayed on said display means. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 17, Lange discloses an information processing apparatus as, characterized in that arbitrary information contents selected from said menu screen are distributed to said storage medium. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 18, Lange discloses an information processing apparatus as, characterized in that there is provided operation means operated so as to input setting information concerning lease of said information contents. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 19, Lange discloses an information processing apparatus as, characterized in that an upper limit of an amount of utilization charge of the information contents is set with respect to lease of said information contents. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 20, Lange discloses an information processing apparatus as, characterized in that said utilization condition so information contains a control program for selecting whether or not a lease period of said information contents is extended. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 21, Lange discloses an information processing apparatus as, characterized in that, in the case where age limitation is set with respect to lease of said information contents, said utilization condition information contains a control program for inputting a predetermined user registered password number. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 21, Lange discloses an information processing apparatus as, characterized in that, in the case where a lease period of said information contents is arbitrarily set, said utilization condition information contains a control program for inputting a lease period of said information contents. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 23, Lange discloses a method of managing lease of information contents distributed from an information lease service provider to a user by using communication means, said method is characterized by comprising the steps of: making a contract concerning lease of information contents in advance between the information lease service provider and the user. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67)  
adding utilization condition information to information contents to be distributed to the user based on the contract on one hand, receiving information contents having

utilization condition information added thereto on the other hand.(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67) and storing the received information contents in a recording medium with its automatically erasable time limit storage function; and automatically erasing the information contents stored in the recording medium based on the utilization condition information. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67)

As per claim 24, Lange discloses an information lease management method as claimed in claim 23, characterized in that Internet or communication lines such as telephone line or satellite communication lines are used. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 25, Lange discloses an information lease management method as, characterized in that, in the case where said recording medium is attached to a data processing unit, when said storage medium is removed from said data processing unit, information contents contained in said recording medium is automatically erased. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 26, Lange discloses an information lease management method as, characterized in that a user is presented with index information concerning a plurality of information contents to be leased to said user. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 27, Lange discloses an information lease management method as, characterized in that at least a menu screen describing a title of said information contents is displayed. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 28, Lange discloses an information lease management method as, characterized in that arbitrary information contents selected from said menu screen is distributed. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 29, Lange discloses an information lease management method as, characterized in that a lease period of said information contents are arbitrarily input with



respect to a lease contract of said information contents.(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 30, Lange discloses an information lease management method as, characterized in that an upper limit of an amount of money for utilization charge of said information contents is set with respect to a lease contract of said information contents. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 31, Lange discloses an information lease management method as, characterized by comprising the steps of:  
in the case where an upper limit of an amount of money is set with respect to a lease of said information contents, obtaining a cumulative utilization charge in which at least lease charges of said information contents are cumulated;  
comparing said upper limit of an amount of money with said cumulative utilization charge.(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67)  
and in the case where said cumulative utilization charge exceeds said upper limit of an amount of money, presenting lease rejection of said information contents or a change of said upper limit of an amount of money. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 32, Lange discloses an information lease management method as, characterized in that, in the case where age limitation is set with respect to lease of said information contents, a predetermined, user registered password number is input. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 33, Lange discloses an information lease management method as, characterized in that, when a lease period of said information contents has expired, it is selected whether or not the lease period of said information contents is extended. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 34, Lange discloses an information lease management method as, characterized in that at least a title of said information contents, lease charge and lease period, and a list of said users are integrally managed. .(see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 35, Lange discloses a recording medium for recording information contents with utilization condition information leased from an information lease service provider to a user, characterized in that, when a predetermined lease period has expired, information contents stored in the recording medium is automatically erased based on said utilization condition information. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 36, Lange discloses a recording medium as in the case where said recording medium is attached to data processing means, when the recording medium is removed from said data processing means, there is provided a data erasure mechanism for automatically erasing information contents stored in the recording medium. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 37, Lange discloses a recording medium as claimed in claim 35, characterized in that, said data erasure mechanism comprises: detection means for detecting the fact that the recording medium is removed from said data processing means; and control means for controlling disconnection of power supply to storage means based on removal detection information caused by said detection means. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

As per claim 38, Lange discloses a recording medium as claimed in claim 35, characterized in that, when power supply to the recording medium is disconnected, there is provided a lock mechanism for fixing the recording medium to said data processing means. (see column 1 lines 59-67 and column 2 lines 1-19 and column 3-7 lines 1-67).

### **Conclusion**

3. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

Walker et al (US 2001/0042785 A1 PUB) teaches method and apparatus for funds and credit line transfer.

W eichert et al (US 2004,0117302 Pub) teaches payment management.

Jones er al. et all (US Patent 6, 021, 397) teaches financial advisory system.

Art Unit: 3692


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B. Graham whose telephone number 571-272-6795. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-0040 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

CG

May 28, 2007

  
FRANTZY POINVIL  
PRIMARY EXAMINER  
*AU 3692*